

Y4
.F 76/1
Un 34/4
965

UNITED NATIONS PARTICIPATION ACT AMENDMENTS

944
F-76/1
Un 34/4/965

GOVERNMENT

Storage

HEARINGS
BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

S. 1903

TO AMEND THE UNITED NATIONS PARTICIPATION ACT,
AS AMENDED (63 STAT. 734-736)

JUNE 30 AND JULY 1, 1965

Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1965

50-623

KSU LIBRARIES



✓
A11900 913748

COMMITTEE ON FOREIGN AFFAIRS

THOMAS E. MORGAN, Pennsylvania, *Chairman*

| | |
|------------------------------------|---------------------------------------|
| CLEMENT J. ZABLOCKI, Wisconsin | FRANCES P. BOLTON, Ohio |
| OMAR BURLESON, Texas | E. ROSS ADAIR, Indiana |
| EDNA F. KELLY, New York | WILLIAM S. MAILLIARD, California |
| WAYNE L. HAYS, Ohio | PETER H. B. FRELINGHUYSEN, New Jersey |
| ARMISTEAD I. SELDEN, Jr., Alabama | WILLIAM S. BROOMFIELD, Michigan |
| BARRATT O'HARA, Illinois | J. IRVING WHALLEY, Pennsylvania |
| L. H. FOUNTAIN, North Carolina | H. R. GROSS, Iowa |
| DANTE B. FASCELL, Florida | E. Y. BERRY, South Dakota |
| LEONARD FARBSSTEIN, New York | EDWARD J. DERWINSKI, Illinois |
| CHARLES C. DIGGS, Jr., Michigan | F. BRADFORD MORSE, Massachusetts |
| LINDLEY BECKWORTH, Texas | VERNON W. THOMSON, Wisconsin |
| HARRIS B. McDOWELL, Jr., Delaware | JAMES G. FULTON, Pennsylvania |
| WILLIAM T. MURPHY, Illinois | |
| CORNELIUS E. GALLAGHER, New Jersey | |
| ROBERT N. C. NIX, Pennsylvania | |
| JOHN S. MONAGAN, Connecticut | |
| DONALD M. FRASER, Minnesota | |
| RONALD BROOKS CAMERON, California | |
| BENJAMIN S. ROSENTHAL, New York | |
| EDWARD R. ROYBAL, California | |
| JOHN C. CULVER, Iowa | |
| LEE H. HAMILTON, Indiana | |
| ROY H. McVICKER, Colorado | |

BOYD CRAWFORD, *Staff Administrator*
ROY J. BULLOCK, *Senior Staff Consultant*
ALBERT C. F. WESTPHAL, *Staff Consultant*
FRANKLIN J. SCHUFF, *Staff Consultant*
ROBERT F. BRANDT, *Staff Consultant*
HARRY C. CROMER, *Staff Consultant*
PHILIP B. BILLINGS, *Staff Consultant*
MARIAN A. CZARNECKI, *Staff Consultant*
MELVIN O. BENSON, *Staff Consultant*
JUNE NIGH, *Senior Staff Assistant*
HELEN C. MATTAS, *Staff Assistant*
HELEN L. HASHAGEN, *Staff Assistant*
LOUISE O'BRIEN, *Staff Assistant*
MARY MEDSGER, *Staff Assistant*
DORIS B. MCCrackEN, *Staff Assistant*
JEAN E. SMITH, *Staff Assistant*
ROBERT J. BOWEN, *Clerical Assistant*

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS

DANTE B. FASCELL, Florida, *Chairman*

| | |
|---------------------------------|---------------------------------------|
| L. H. FOUNTAIN, North Carolina | H. R. GROSS, Iowa |
| OMAR BURLESON, Texas | PETER H. B. FRELINGHUYSEN, New Jersey |
| DONALD M. FRASER, Minnesota | EDWARD J. DERWINSKI, Illinois |
| BENJAMIN S. ROSENTHAL, New York | |
| EDWARD R. ROYBAL, California | |

MARIAN A. CZARNECKI, *Staff Consultant*
HELEN L. HASHAGEN, *Staff Assistant*



CONTENTS

WITNESSES

| | |
|---|--------|
| Wednesday, June 30, 1965: | |
| Cleveland, Hon. Harlan, Assistant Secretary of State for International Organization Affairs | Page 2 |
| Thursday, July 1, 1965: | |
| Cleveland, Hon. Harlan, Assistant Secretary of State for International Organization Affairs | 32 |
| Lyerly, J. Edward, Deputy Legal Adviser for Administration, Department of State | 37 |

MEMORANDUMS AND STATEMENTS SUBMITTED FOR THE RECORD

| | |
|--|----|
| Text of S. 1903 | 1 |
| Prepared statement of Hon. Harlan Cleveland, Assistant Secretary of State for International Organization Affairs | 3 |
| Organization chart, U.S. representation at the United Nations | 25 |
| Number of ambassadors, envoys, and ministers of member states, accredited to the United Nations and stationed in New York (partial list) | 28 |
| Comparison on yearly basis, of salary and allowances paid Ambassador Roger W. Tubby at his present rank, and as Ambassador, class 3 | 28 |
| Comparison of proposed legislation and existing legislation, amending the United Nations Participation Act | 29 |

TO AMEND THE UNITED NATIONS PARTICIPATION ACT, AS AMENDED (63 STAT. 734-736)

WEDNESDAY, JUNE 30, 1965

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS,
Washington, D.C.

The Subcommittee on International Organizations and Movements met in open session at 10 a.m., Wednesday, June 30, 1965, in room 2200, Rayburn Building, Hon. Dante B. Fascell (chairman of the subcommittee) presiding.

Mr. FASCELL. The subcommittee will come to order.

We are here this morning to hear testimony on and to consider S. 1903, to amend the United Nations Participation Act as amended.

(The text of S. 1903 is as follows:)

[S. 1903, 89th Cong., 1st sess.]

AN ACT To amend the United Nations Participation Act, as amended (63 Stat. 734-736)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b), and (d) of the United Nations Participation Act of 1945, as amended by Public Law 341, Eighty-first Congress, October 10, 1949, are hereby further amended to read as follows:

"(a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and may serve ex officio as representative of the United States in any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

"(b) The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction of the Representative of the United States to the United Nations. They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the Representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any Deputy Representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended.

"(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representatives provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter."

Sec. 2. Section 2 of such Act is hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

"(e) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the European office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European office of the United Nations, and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State may, from time to time, direct".

Passed the Senate June 25, 1965.

Attest:

FELTON M. JOHNSTON, *Secretary*.

Mr. FASCELL. Our first witness this morning will be the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs, who is accompanied by Francis Cunningham, Oscar H. Nielson, and Paul Toussaint, from the Bureau of International Organization Affairs of the Department of State.

Mr. Secretary, we are very happy to have you here once again, and will be delighted to hear from you.

Mr. CLEVELAND. Thank you, Mr. Chairman.

STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. You will recall that amendments to the U.N. participation Act were proposed during the 88th Congress. The amendments proposed in 1963 included one which would have provided a housing allowance for those officers at the U.S. mission in New York with important representational responsibilities. This element was somewhat controversial and is not part of this year's submission. It is not in the bill before this committee nor is it in the bill passed by the Senate. That is, the bill passed by the Senate is identical with the bill now before you.

I have a prepared statement but believe it would be preferable if it were placed in the record, and I spoke to it rather than read it aloud.

Mr. FASCELL. Without objection, the statement will be put in the record at this point.

(The statement is as follows:)

STATEMENT OF HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR
INTERNATIONAL ORGANIZATION AFFAIRS

AMENDMENTS TO THE UNITED NATIONS PARTICIPATION ACT

Mr. Chairman and members of the committee, I am glad to come before you today in support of proposed amendments to the United Nations Participation Act of 1945, as amended by Public Law 341, 81st Congress.

The proposed amendments would accomplish three things: Wider discretion would be granted the President in the appointment of top level personnel of the U.S. mission to the United Nations; the U.S. representative to the United Nations would be given more flexibility and discretion in the assignment of personnel to the various organs of the United Nations in accordance with workload at hand and other considerations, and the President would be authorized to appoint a representative to the U.S. mission to the European office of the United Nations.

Although subsections (a), (b), and (d) of the basic act are rewritten by the first section of the proposed bill, the revisions make very few changes of substance in existing law.

The principal effect of the first section of the proposed bill would be to permit the use of the five top officials of the U.S. mission to the United Nations as a group of interchangeable representatives. Presently, only three of the five may represent this country in the Security Council, and only the chief U.S. representative and his first deputy may represent the United States both in the Security Council and in "any organ, commission or other body of the United Nations other than the specialized agencies." I believe this alteration of the basic act, as amended, is warranted by the fact that several important United Nations meetings normally are occurring simultaneously, and, as is often the case, the same issue recurs in several different forums.

The first section of the proposed bill would not increase the number of statutory officials now present in New York. Presently, the five top people are: Gov. Adlai E. Stevenson, the U.S. representative to the United Nations, the head of the U.S. mission in its day-to-day relations with the representatives of 113 other nations and with the United Nations headquarters itself; Francis T. P. Plimpton, the statutory deputy U.S. representative; Charles W. Yost, a career minister in the Foreign Service, the deputy representative of the United States to the Security Council; Franklin H. Williams, the U.S. representative to the Economic and Social Council of the United Nations, and Mrs. Marietta P. Tree, the U.S. representative to the Trusteeship Council of the United Nations. Both Mr. Stevenson and Mr. Plimpton have the statutory rank and status of Ambassador Extraordinary and Plenipotentiary. Mrs. Tree and Messrs. Yost and Williams have been granted the personal rank of Ambassador by the President.

Although the President usually appoints all five of these representatives to our delegation to the General Assembly, thereby increasing our flexibility to some extent, this still does not solve the major problem of assignments to the other principal organs of the United Nations. I believe the problem would be met by the enactment of the first section of the proposed bill. Given the authority reflected in the first section of the bill, the senior U.S. representative would be able to assign the top members of the mission staff to represent the United States at meetings of the United Nations commissions, committees, or other bodies as their special competence, mission workload, or other circumstances may require.

The effect of the first section of the bill is to explicitly require Senate confirmation for an appointment which is implicitly subject to such confirmation by the general wording of the present law. That is to say, the first section of the bill does not repeal any requirement of existing law. The language in the bill authorizing the appointment by the President, subject to Senate confirmation, of U.S. representatives to "such organs, commissions or other bodies of the United Nations as are concerned with nuclear energy or disarmament (control and limitation of armament)" is comparable to the powers currently exercised by the President under section 2(d) of the present law. Section 2(d) provides for such appointments "in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative."

The second section of the bill affects the U.S. representative to the European office of the United Nations in Geneva. Since 1960 the representative in Geneva has been appointed by the President and given the personal rank of Ambassador. The enactment of the second section of the proposed bill would provide a statutory basis for this position. The President would be authorized to appoint, by and with the advice and consent of the Senate, a representative of the United States to the European office of the United Nations who, in addition to representing the

United States at the European office of the United Nations, would perform such other functions in connection with U.S. participation in international organizations as the Secretary of State might direct.

Geneva has become increasingly important as the headquarters of many international organizations and as an international conference site. All in all, there are permanently located in Geneva several thousand international civil servants and foreign government representatives, plus several thousand more representatives of private organizations and business firms with a direct and continuing interest in international organization activities. At the present time Geneva houses 20 international intergovernmental organizations, including 4 specialized agencies (the International Labor Organization, the World Health Organization, the International Telecommunication Union, and the World Meteorological Organization); a regional economic commission (the Economic Commission for Europe); a multilateral institution for the negotiation and discussion of trade problems (the General Agreement on Tariffs and Trade); a regional trade arrangement in which the United States has an important interest (the European Free Trade Association); and 2 institutions concerned with refugees and migration (the United Nations High Commissioner for Refugees and the International Committee for European Migration).

As the second conference center of the United Nations, some 3,000 conference sessions a year are held including not only conferences of the resident agencies, but regular meetings of such United Nations bodies as the Economic and Social Council, the Human Rights Commission, and the International Law Commission. Added to this is the fact that there are now in Geneva some 36 resident missions (as distinguished from consulates), 31 of them headed by Ambassadors.

The enactment of the proposed bill would not require that any of the five top-level people holding office at the time of its enactment be reappointed. Also, section (d) of the proposed bill continues the provisions of the existing law applicable to appointments which are not subject to special Senate confirmation.

In my judgment, the enactment of the proposed bill would increase and strengthen the capacity of the United States to fulfill its role in international organization matters thereby enabling the United States effectively to represent its policies and aims in the field of international politics.

Because I believe the proposed amendments to be sound, I do not hesitate to urge that you give them careful consideration.

Mr. CLEVELAND. The proposed amendments would accomplish three things: The President would be given somewhat wider discretion in the appointment of top-level personnel to the five major positions at the U.S. mission of the United Nations in New York; the chief representative to the United Nations, Ambassador Stevenson, would have more flexibility and discretion in the assignment of his personnel to the various organs of the United Nations, and a statutory basis would be provided for the appointment of the U.S. representative to the European office of the U.N. and to other international organizations in Geneva.

In order to accomplish these things, a good many changes have to be made in the language of the original U.N. Participation Act, rather more changes in language than changes in substance.

I believe it is fair to say that the U.N. Participation Act, by and large, has turned out to be a remarkably durable piece of legislation. It was passed shortly after the U.N. Charter was ratified, and provides for the U.S. mission in New York as well as authorizing our annual contribution to the U.N. budget as assessed by the General Assembly of the United Nations. In my judgment, the act has worked very well.

The U.N. Participation Act, as enacted in 1945, provided for the U.S. chief representative to the United Nations and a deputy to serve on the Security Council.

In 1949, in the face of an increased workload, the act was amended to provide for another deputy to the chief representative who, in effect, would be the chief representative's alter ego. This deputy also may

serve on the Security Council as well as represent the United States in any other U.N. body, organ, or commission. Since 1949 the activity in New York has increased manifold. This is true not only as regards the Security Council but also in the economic and social fields and, for a time, in the matter of trust territories. Questions affecting the latter field have decreased substantially since there are now only three trust territories remaining, including the U.S. Trust Territory in the Pacific. The Committee of 24, in which dependent area issues are debated, is another forum which has seen a substantive increase in workload.

Originally, the U.S. representative on the Economic and Social Council on the Trusteeship Council did not possess ambassadorial rank. However, in recent years, the President has granted the incumbents the personal rank of ambassador. Although the incumbents hold statutory appointments, their appointment is to a specified organ of the United Nations thereby depriving Ambassador Stevenson of their services in other U.N. bodies to handle problems within their respective areas of competence.

For example, a colonial issue will come up in the Committee of 24, and in the Trusteeship Council, and then arise again in very much the same form involving very much the same kind of debate in the Security Council or in a committee of the General Assembly. Therefore, it is important that Governor Stevenson be able to shift his staff from one U.N. forum to another and thereby take advantage of their individual expertise and knowledge concerning the issue or problem at hand.

I am sure you know all of the people who are currently involved in the five top jobs we are discussing. Governor Stevenson, the chief representative; Francis Plimpton as the overall deputy; Ambassador Charles Yost, a Foreign Service career ambassador appointed to the Security Council; Franklin Williams, the U.S. representative on the Economic and Social Council; and Mrs. Marietta Tree, the U.S. representative on the Trusteeship Council.

The proposed bill would not affect the incumbents with respect to their primary responsibilities on the Security Council, the Economic and Social Council, and on the Trusteeship Council. The effect of the bill would be to make the holders of the jobs interchangeable and afford Ambassador Stevenson the flexibility he needs.

The bill would also require Senate confirmation for long-term appointments to the Economic and Social Council and to the Trusteeship Council. It has been the President's practice, certainly in the time I have been here, to subject to Senate confirmation, even though not required by law, appointments to the Economic and Social Council and the Trusteeship Council, whether of definite or indefinite duration. This bill would make confirmation of all such appointments a matter of law.

The second section of the bill deals with the U.S. representative to the European office of the United Nations in Geneva. This is the job now held, as you know, by Roger Tubby, who has the personal rank of Ambassador. However, this is not now a statutory chief of mission job.

We have been building up the Geneva mission to try to handle, on the spot, the extraordinary amount of business which has developed in Geneva. Some of you will remember that just after the war everybody was trying to figure out how to use the old League of

Nations Building. That no longer is a problem and has not been for sometime. Now the problem is how to fit into Geneva all the conferences which are held there. Geneva is now the biggest conference center in the world. It outranks the U.N.'s New York headquarters in terms of the amount of business, for something like 3,000 sessions of intergovernmental conferences are held there annually. This does not include all the private professional societies which also meet there.

Geneva houses 20 intergovernmental organizations, including four of the main specialized agencies of the U.N.; one of the regional economic commissions of the U.N., and the General Agreement on Tariffs and Trade. In addition, Geneva is the site of the Kennedy Round discussions. The High Commissioner for Refugees, and some of the European regional organizations also make their headquarters in Geneva.

Our hope would be to continue to build up the position of our Geneva mission so that increasingly it can handle more of the conference work with the people already there instead of our having to send people from the Department or elsewhere in the Government almost everytime a conference is held. As a contribution to making this the major diplomatic mission that it is fast becoming, it seems to the administration that it would be useful to set it up as a statutory chief of mission position requiring Presidential appointment, and Senate confirmation, rather than the more informal arrangements we have had up to now.

All of this is by way of cleaning up some of the edges of a growing activity in the field of international organization which, as you know, is an increasingly large part of our total diplomacy. We belong to 53 international organizations and last year, the United States participated in 540 international conferences. This activity accounts for something like a quarter, or just under a quarter, of the State Department budget as well as for a part of chapter 3 of the AID program.

In our judgment the enactment of this bill would strengthen our capacity to work with and through the United Nations, and represent the United States effectively in so doing. I urge that this bill, which was passed by the Senate the other day, be approved this year by the House of Representatives.

Mr. FASCELL. Thank you, Mr. Secretary.

The housing allowances are out of this bill?

Mr. CLEVELAND. They are out of this bill.

Mr. FASCELL. Does this legislation authorize any additional appointments to the U.N. delegation?

Mr. CLEVELAND. No, it authorizes no additional appointments.

Mr. FASCELL. Does this legislation in any way diminish congressional control over the present delegation?

Mr. CLEVELAND. It actually increases it in the sense that it makes statutory appointments, subject to Senate confirmation, of two of the jobs that don't now require it in New York, and sets up the Geneva job as a statutory job requiring Senate confirmation.

Mr. FASCELL. I think the Economic and Social Council and Trusteeship Council appointments both require Senate confirmation now?

Mr. CLEVELAND. They don't require it. They are submitted for Senate confirmation in practice.

Mr. FASCELL. Maybe I misread this. I am reading from section 2(d) of the present law now:

The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that—and so forth.

Mr. CLEVELAND. My understanding is that that is changed by the present bill—do you have the original law there?

Mr. FASCELL. The only exceptions—appointments which require no confirmation as I recall it are those: “except that the President may, without the advice and consent of the Senate designate any officer of the United States to act.” Is that what you are talking about?

Mr. CLEVELAND. In practice once you have the flexibility in this new arrangement it shouldn't be necessary to designate other people to act, because there will be enough talent in New York to handle the problem.

Mr. FASCELL. Nevertheless, that same language is retained in this amendment. I cannot see any difference. In the legislation which is before us it starts out, that same section, page 3 of the bill:

The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States.

Mr. CLEVELAND. I misspoke before. In the case of the Geneva job it does not now require Senate confirmation. In the case of the New York jobs, all of those jobs now require it. Certainly that has been the practice right along.

Mr. FASCELL. It would seem if you are making the position in Geneva statutory and now requiring the advice and consent of the Senate, you would have a difference there. But in respect to the additional appointments ordinarily placed under subsection (d), it seems you are reversing the process in the language I read. Where there are specific appointments to a specific council requiring the advice and consent of the Senate, that is now being changed so that there is no longer required specific designations under (d), but there is required the advice and consent of the Senate in regard to the overall appointments under the new subsection (b). That might be confusing to some people. I think we ought to make that clear for the record, that while the language in the legislation we are considering in subsection (d), does not refer to Senate confirmation as the present subsection (d) does in the present law, confirmation by the Senate is required in subsection (b) because all of the appointments to the delegation are now provided for in the new subsection (b).

Mr. CLEVELAND. To these five permanent jobs.

Mr. FASCELL. When (d) was rewritten it was simply rewritten to provide for the additional appointments that are ordinarily carried—

Mr. ROSENTHAL. Would you yield for a question? I don't understand why you need subsection (e) at all. Why doesn't that authority come under subsection (b) of the first section?

Mr. CLEVELAND. Section (e)?

Mr. ROSENTHAL. Subsection (e), under section 2 of this bill.

Mr. CLEVELAND. Subsection (e) has to do with Geneva.

Mr. ROSENTHAL. Isn't that authority in subsection (b), section 1, or do you need special authority because it is another geographical place?

Mr. CLEVELAND. It is another geographical place. What we are trying to do is make that like an ambassadorship to a country; that is, a statutory job to which the President appoints with the advice and consent of the Senate.

Mr. ROSENTHAL. Is each ambassadorship covered in a separate section of the law? I am not familiar with that. Is it?

Mr. CLEVELAND. Not in this—

Mr. ROSENTHAL. In the other related laws?

Mr. CLEVELAND. No, the President has authority to appoint chiefs of mission and give them special authority as Ambassadors plenipotentiary, and so forth.

Mr. ROSENTHAL. That is why I don't understand why you need subsection 2(e). Isn't that contained in (b) of section 1? I am sure there must be an answer. I would like to know what it is.

Mr. CLEVELAND. The Geneva job is rather special, and when the lawyers considered what we were trying to do they decided it would be better to deal with Geneva separately. The reason that it is special is that the person is not a U.S. representative in a particular organ of the United Nations, but a representative to a collection of organs of the United Nations, and other international organizations that happen to be located in this center of internationalism called Geneva. We want that person to have the rank and title of a chief of mission, an ambassador, a statutory agent of the U.S. Government, and enable him to represent the United States not only in meetings of the U.N., as such, but also in other international meetings that may take place in Geneva. We put him on a number of delegations to serve in effect as the political officer.

Mr. FASCELL. The direct answer, of course, is that (e) is not in (b), because (b) deals with the principal organs of the United Nations.

Mr. CLEVELAND. Yes. The principal organs of the United Nations are all in New York.

Mr. FASCELL. Mr. Gross.

Mr. GROSS. Mr. Cleveland, why cannot you move people around in New York to fit certain jobs?

Mr. CLEVELAND. Under the present structure of the U.N. Participation Act, the people holding the economic and social and trusteeship jobs could not, for example, represent the United States in the Security Council of the United Nations.

Mr. GROSS. Why? Are they prohibited by the charter, or law or what?

Mr. CLEVELAND. The structure of the original act is such that a person can serve only in the U.N. organ to which he is appointed by the President.

Mr. GROSS. Is there anything wrong with that? Can't he accredit them to attend any meeting, function, or anything else he wants to?

Mr. CLEVELAND. There are problems particularly in relation to the Security Council. The lawyers have ruled that in order to appear in the Security Council it has to be one of the three people; the two overall ambassadors—

Mr. GROSS. What lawyers have ruled?

Mr. CLEVELAND. Our own Legal Adviser's Office.

Mr. GROSS. What do you mean by this language on page 2 of the bill? Beginning on line 9:

The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament).

Mr. CLEVELAND. That is language out of the original—

Mr. GROSS. Is it proposed to create some other bodies now?

Mr. CLEVELAND. No, sir; that is language from the original act. As you recall at that time everybody was quite excited about the nuclear energy aspects. For that reason the language appears as a special inclusion in that sentence. We didn't see any particular reason to change it since that is still an important—

Mr. GROSS. We have made quite a buildup with respect to disarmament in this country. There is the possibility here of a further buildup, it seems to me, by this language. I don't understand why.

Mr. CLEVELAND. This covers, for example, the situation that we had in the Disarmament Commission of the United Nations which was meeting for a couple of months this spring. Ambassador Stevenson was designated as the chief representative, and Mr. William Foster was designated by the President as the deputy representative. Mr. Foster in fact served in that capacity at the conference.

Mr. GROSS. The point is that you say nothing about the creation of other bodies in the original law; or do you?

Mr. CLEVELAND. The original law has this language about other bodies, such other bodies which may be created. The assumption at the time was that there might develop some disarmament organs.

Mr. GROSS. I don't see it here.

Mr. FRELINGHUYSEN. It is the left side.

Mr. CLEVELAND. Mr. GROSS, in the 1949 amendments to the U.N. Participation Act, there was a special reference to any commission that may be formed by the United Nations with respect to atomic energy. The part of the act in which that language appears falls out in these new amendments, and so a special reference to the nuclear energy aspect is introduced in the new language because we do not want to imply that there is less reason to have senior representatives of the United States on that subject now than there was in 1949 when, in fact, there certainly is not.

Mr. GROSS. It seems to me you are reaching for something with that explanation, Mr. Cleveland. I am going to have to know a good deal more about this than I know now before I support this kind of language. It looks like another buildup to me.

Mr. CLEVELAND. This is actually the same number of people and would in fact be the same people. It is a slightly different arrangement of the boxes.

Mr. GROSS. There is no limitation in this bill. You say the same number of people. So far as I can see, there is no limitation in this bill. You can go on and add people, can't you?

Mr. CLEVELAND. There is no limitation in the original bill or in this one except the limitation—

Mr. GROSS. Your statement that you are not going to add people, that is all we have to go on, isn't it?

Mr. CLEVELAND. Yes. There now is no additional organ of the United Nations that would rate a senior permanent representative in New York. If you suddenly got a great thaw in the cold war, and some kind of disarmament organization could be set up, obviously you would need somebody full time on that.

Mr. GROSS. You already have several somebody's on full time with respect to disarmament. How much more do you want to build up this agency? We have gone from spending less than a million dollars to \$10 million a year for the purpose of talking about disarmament.

Mr. CLEVELAND. The Geneva disarmament discussions are negotiations outside the framework of the U.N., strictly speaking.

Mr. GROSS. I might interpose—

Mr. CLEVELAND. There isn't any U.N. disarmament organization to which a U.S. representative needs to be appointed.

Mr. GROSS. I might interpose the observation that I don't know who proposes to disarm these days anyway.

With respect to section 2 of the bill, and your desire to create another ambassador, don't you think we ought to be reducing instead of increasing the number of American ambassadors around the world? We are sticking ambassadors in countries with 300,000 population these days. It seems to me we ought to be going the other way, instead of increasing the number. This means an upgrading of salaries, does it not, and certain emoluments that go with the office of ambassador?

Mr. CLEVELAND. This bill doesn't deal with any of the bilateral ambassadorships that you are referring to.

Mr. GROSS. I am taking it in context with all the rest. I might be more amenable to a new ambassador in Geneva, Switzerland, if you weren't appointing ambassadors to every small country all over the world.

Mr. CLEVELAND. That is a different subject that I think I had better leave to the Secretary.

Mr. GROSS. It is a part of this question of creating another ambassador.

Mr. CLEVELAND. Even the Geneva one wouldn't represent a new ambassador. It would be making a statutory job of a job that already carries the personal rank of ambassador.

Mr. GROSS. What is the difference?

Mr. CLEVELAND. The difference is that it is by and with the advice and consent of the Senate. It is a formal chief of mission job rather than Foreign Service Reserve officer with the personal rank of ambassador.

Mr. GROSS. And increase the emolument of the office?

Mr. CLEVELAND. It increases the salary of the office.

Mr. GROSS. Of course it does.

Mr. FASCELL. Mr. Fraser.

Mr. FRASER. Thank you, Mr. Chairman.

We were just discussing whether there might be an effort to add on a section that requires that article 19 of the Charter be enforced.

Mr. GROSS. I am all for that. Go to it.

Mr. FRASER. I don't really have any questions. The fact that the money for the delegation up there that was in the earlier bill has been taken out is due to the opposition that it created—or has that been solved some other way?

Mr. CLEVELAND. No, it has not been solved. The decision was not to press it this year in connection with this legislation, particularly in connection with Geneva. We would like to get the statutory arrangements set here.

Mr. FRASER. As I read your statement, it seems to me that the one appointment that is now being made which apparently isn't clearly required to be brought before the Senate is the representative to the disarmament talks. I got that partly from reading the report, and last year's bill where it suggested that it was implicit in the law, and this would make it explicit.

Mr. CLEVELAND. The present disarmament talks, the 18-Nation Disarmament Committee in Geneva, is not, strictly speaking, a U.N. body. Therefore, we treat that simply as one of the many conferences that go on during the year. The designation is made as a matter of Executive action in that case by the President rather than the Secretary. If there were to be some new U.N. organization formed in this field—which doesn't look very likely at the moment, I must say—the arrangements in this bill would apply. The arrangements in this bill don't apply to any international body that is not a permanent body of the United Nations to which permanent U.S. representation, resident at the seat of the organization, is required.

Mr. FRASER. I may have misread that report. I find this language in the old law awfully hard to follow. I find the new language quite easy to follow, so it seems to make sense to have the new language.

I have no further questions.

Mr. FASCELL. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. I have followed this discussion with much interest, but I am still confused as to what we have and what the changes would do to the existing law.

As I understand it now, four of the five key people at the U.N. now, U.S. key people, are ambassadors, is that right? Two are statutory and two have the personal rank of ambassador?

Mr. CLEVELAND. All five of them are now ambassadors.

Mr. FRELINGHUYSEN. It doesn't say so in your statement on page 3. It says Stevenson and Plimpton have statutory rank as ambassador. Yost and Williams—excuse me—all have personal rank.

Mr. CLEVELAND. By letter from the President.

Mr. FRELINGHUYSEN. The effect of these changes would be to allow Mrs. Tree to serve as the U.S. representative on the Security Council, whereas now she is precluded.

Mr. CLEVELAND. That is right. At the discretion of the chief delegate there.

Mr. FRELINGHUYSEN. What this is doing is seeking flexibility. It is seeking an opportunity to allow Mrs. Tree to represent the United States on the Security Council or Mr. Williams, who is the other one, who does not now have the right to represent the United States on the Security Council.

Mr. CLEVELAND. That is right.

Mr. FRELINGHUYSEN. It seems to me that what this shifting around of language has done is to decrease the statutory positions that we presently have. The changes, as I see it, indicate that there is only one individual who shall be appointed with the rank of ambassador, that is the representative, Ambassador Stevenson. Then there is a

catchall provision that the President shall appoint additional persons with appropriate titles and ranks, which probably would be the four others who now have top ranks. But it doesn't indicate at all which those individuals are. There is no reference to the fact that any of these individuals shall be entitled to represent this country in the Security Council except to say that they shall represent the United States in the principal organs of the United Nations. This seems to me to weaken the statutory authority which the deputy representative presently holds, and also the additional deputy to which the present law refers. And it strips the language in the present section 2(d) which now says specifically that the U.S. representatives to the Economic and Social Council and to the Trusteeship Council shall be appointed only with the advice and consent of the Senate.

True, all the additional individuals referred to in the new section (b) shall be appointed with the advice and consent of the Senate, but this only indirectly indicates that we consider representation on the Security Council of significance. It makes no reference, except on the top of page 19 of this committee report, to the Economic and Social Council or Trusteeship Council. It seems to me we might weaken ourselves.

As Mr. Gross says, it provides no upper limit on the number of the appointments that would be made under (b). We know only that it is the intention of the Department to have only four additional representatives, all considered to have statutory rank as ambassadors, if they should be appointed under this new section.

Is this what we want, to strip the law of the specific power to delegate representation on the Security Council from all others and only refer to the representative himself as serving on the Security Council?

Mr. CLEVELAND. The intention of this, and what I believe it accomplishes, is to create a pool, as things now are, of five people, each of whom would be appointed by the President, confirmed by the Senate, and hold the rank of ambassador. Each one would be available, at the discretion of the senior U.S. representative to the United Nations, to perform whatever representational duties in whatever boards or commissions or councils of the U.N. as would be dictated by the skills of the individual and the needs of the moment.

Since the original enactment of the U.N. Participation Act in 1945, and of amendments later in 1949, other committees and boards of the U.N. have come into being which turn out to generate as much business or more business than the original organs established in the Charter. For example, the Trusteeship Council now has jurisdiction only over three territories, one of which is our Trust Territory in the Pacific, and two Australian territories. All the rest are out of the trust territory business. On the other hand, the so-called Committee of 24, a suborgan of the General Assembly, is a year-round debating group on the subject of dependent territories. In practice, the way it has worked is that Mrs. Tree, who is formally the U.N. representative to the Trusteeship Council, seldom sits in the Trusteeship Council because it seldom meets. She spends most of her time in other meetings. We want to regularize the situation as it is developing.

Mr. FRELINGHUYSEN. I would think if the Trusteeship Council is of lesser consequence now than it has been that we should not be requiring the representative to the Trusteeship Council to be an ambassador and subject to confirmation by the Senate. I would think that

section (d) would perhaps permit an individual to be appointed to that position without confirmation by the Senate.

The only reference that I see in the changes proposed to require that anyone who represents the United States in the Trusteeship Council be subject to confirmation by the Senate is this language: "That these individuals who are appointed with the advice and consent of the Senate shall represent the United States in any organ, commission, or other body of the U.N. including the Trusteeship Council."

But it is a sort of indirect kind of thing.

I would think this would be a limiting factor, if it isn't of any great consequence.

Mr. CLEVELAND. I do not think it limits it. What it means is that you can have a group of deputy representatives, deputies to Adlai Stevenson, who can be deployed from month to month in whatever way the situation warrants. It has now become even a sort of curiosity for one of those deputy representatives to have the statutory job description of U.S. representative to the Trusteeship Council when everybody knows that the Trusteeship Council is practically withering away through lack of business and through the independence of the various territories.

Mr. FRELINGHUYSEN. Is it your feeling, if this authority is granted, that the four subordinates to Ambassador Stevenson will be all designated as deputy representatives, without any further description assigning them, for example, to the Economic and Social Council? Will they just be deputy representatives fully qualified to serve on any organ of the United States including the Security Council, or will you spell that out in their job description?

Mr. CLEVELAND. I think the practice would then be to appoint them as deputy representatives to the United Nations. Obviously you would want different skills represented in that group. You would want somebody who was especially good on economic and trade problems, and another who was especially good in dealing with some of these dependent territory problems. But each of them would be a deputy representative to the United Nations.

Mr. FRELINGHUYSEN. There would be no designation that any one of these would be the representative to the Economic and Social Council? This, it seems to me, is a weakening of what we might be trying to do to get specialists. You say we will have specialists in certain areas as we have in the past, but there would be no requirement that this particular job must be filled by someone with that skill. This might be the case if you had an individual up for confirmation by the Senate for a particular job.

Now there is a mandatory requirement that the representative to the Economic and Social Council shall be appointed by and with the advice and consent of the Senate. You are indicating that any of these deputies who shall be appointed may serve on the Council. This would seem to me to diminish the specialization which we have tried to develop in the U.N. representation.

Mr. CLEVELAND. In practice, I think we would need full-time people on some subjects. The Economic and Social Council generates enough business that you would probably need to have somebody who was pretty much full time on this work. Even in the field of economics, there are other boards and committees such as the U.N.

Trade Organization, not contemplated in the original U.N. Charter, which require high-level representation by the United States.

Mr. FRELINGHUYSEN. There is nothing now to preclude the present representative from serving in that capacity. He simply cannot serve as a representative on the Security Council, isn't that right?

Mr. CLEVELAND. It can be done in practice, and it is increasingly being done in practice. But under the present rigid structure of the law, it is anachronistic, I think, when you come to look at how things are really done up there.

What we would like to do is to bring the law up to date with the rather flexible arrangements that now turn out to be necessary to cover all the different organs and bodies that have developed under the Charter of the United Nations. This seems a good way to do it.

Mr. GROSS. Would the gentleman yield?

Mr. FRELINGHUYSEN. My time has expired.

Mr. FASCELL. Mr. Rosenthal.

Mr. ROSENTHAL. Are the deputy representatives at the U.N. in New York responsible to the representative there?

Mr. CLEVELAND. Yes. This operates in practice as an integrated mission.

Mr. ROSENTHAL. And the proposed representative at Geneva is responsible to the Secretary of State?

Mr. CLEVELAND. That is right.

Mr. ROSENTHAL. I was trying to find a distinction between the two positions, and in reading the statute of the proposed legislation I see the man in Geneva is responsible to the Secretary of State, while the other four deputy representatives are responsible to the representative.

Mr. CLEVELAND. That is right.

Mr. ROSENTHAL. That might be a good reason why there should be a separate section of appointment for the man in Geneva rather than to include him in those who are appointed to the U.N. headquarters in New York.

Mr. CLEVELAND. It is a separate item in the missions to international organizations appropriations. There are a few others, too, such as the U.S. representative to the International Civil Aviation Organization in Montreal, and so on, but without the rank of ambassador in that case.

Mr. FASCELL. Mr. Fulton.

Mr. FULTON. How many countries have as many ambassadors as we do at the United Nations? Would you put a list in showing the various countries and the various numbers of ambassadors they each might have, with the chairman's consent, so we can compare this with other representation, so that we can see that we aren't getting too many flowers in our diplomatic bouquet.

Mr. CLEVELAND. Yes. We, of course, have more than most because we are the host country, and do a lot of—

Mr. GROSS. Entertaining?

Mr. CLEVELAND. And do a lot of business.

Mr. FASCELL. As I understood the request—

Mr. CLEVELAND. Some of it over drinks.

Mr. FASCELL (continuing). Was the question the number of ambassadors in the U.N.?

Mr. FULTON. Yes, the major countries, if it is going to be a long list.

Mr. FASCELL. It will be 114 countries.

Mr. FULTON. Say so many countries have so many ambassadors but on the major countries I would like to be able to compare our representation with theirs.

Mr. CLEVELAND. We will secure that and put it in the record. (The information requested will be found on p. 27.)

Mr. FASCELL. Thank you, Mr. Secretary.

Mr. FULTON. What is the difference between the rank of ambassador and minister on effectiveness at the U.N.? Should we change these ministers to ambassadors?

Mr. CLEVELAND. I don't think—

Mr. FULTON. Yost is a career minister.

Mr. CLEVELAND. I think he has been made a career ambassador.

Mr. FULTON. He is on the personal appointment of the President, made a career ambassador, not a statutory ambassador.

Mr. CLEVELAND. I am afraid that the testimony is slightly obsolete in that respect. He was recently appointed as a career ambassador. But career minister is also a rank in the Foreign Service, as you know.

But for purposes of dealing with ambassadors from other countries, people of the rank of minister, or indeed of FSO-1 and FSO-2, have been appointed ambassadors so that they can deal on an equal level with people from other countries. Generally speaking, in international meetings, most of the senior representatives around the table have the rank of ambassador. Ours frequently do not.

Mr. FULTON. If you would put a statement in the record.

The other point is this: You have the phrase that you have referred to several times, "Any organization, commission, or other body of the United Nations other than the specialized agencies."

The words "other than the specialized agencies" is a limiting clause. My question would be, Why don't you have that all the way through when you speak of the various levels of the United Nations? Would you put a statement in on that?

Mr. CLEVELAND. Each of the specialized agencies has its own participation act.

Mr. FULTON. This will not affect in any degree the specialized agencies representation?

Mr. CLEVELAND. That is right. There is a special law, or participation act, enacted by the Congress under which funds are appropriated, and the representatives are appointed—

Mr. FULTON. Even though that phrase is not carried through in every particular section it does mean to apply the limiting phrase "other than the specialized agencies," when we refer to representation in this bill?

Mr. CLEVELAND. Yes, these are amendments affecting the United Nations Participation Act; that is, concerning the U.N. itself. They do not deal with the specialized agencies, which have their own setups, their own parliaments, and as far as our legislation is concerned, their own legislative authority or participation acts.

Mr. FULTON. Will the designation of this number of Americans derogate or reduce the level of importance of the U.S. delegates to the United Nations appointed by the President and the Secretary of State to the General Assembly?

Mr. CLEVELAND. No. Our practice in the past 3 or 4 years has been to include among the 10 representatives and alternates accredited to the General Assembly all of the 5 permanent representatives.

Mr. FULTON. That is correct. I realize that. What I am really saying, in relation to the other five delegates, by designating these people with the high rank of ambassador, does it derogate the position of the other five U.N. delegates so that they relatively become more ineffective and more obscure?

Mr. CLEVELAND. No. In practice what happens is that—

Mr. FULTON. I have been there so I know what the practice is.

Mr. CLEVELAND. Only two of the five make the list of the first five on the U.S. General Assembly delegation. Typically, the U.S. General Assembly delegation consists of the chief delegate, Ambassador Stevenson; the two Congressmen or Senators; the deputy representative, Mr. Plimpton at the present time, and a fifth person chosen, basically, on the content of the General Assembly agenda. Last year, because of the disarmament question, Mr. William Foster was the fifth delegate. The other three regular Americans in the New York office, along with two other designees, make up the list of alternates.

Mr. FULTON. My question is, When we have so many Americans representing the United States will this reduce the level of the ordinary delegate of the United States, or all the alternates?

Mr. CLEVELAND. No. Actually, in the past year the other career people who were accredited to the U.S. delegation, 1 or 2 of whom were not on the list of 10, included 2 ambassadors. That is to say, they were plucked out of countries in Africa, and elsewhere, for service on the U.S. delegation during the General Assembly. I don't think it has that effect. The people who don't have the rank of ambassador on the delegation, generally, are the representatives from Capitol Hill. I am certain nobody thinks they are less important than ambassadors.

Mr. FULTON. What is the total cost of this bill?

Mr. CLEVELAND. The only financial implication of the bill is the rise in the salary of the representative in Geneva. It will be around \$3,000.

Mr. FULTON. What other emoluments might be added on, that will be an expense rather than a salary? If you would put that in the record to show us what the total cost effect and budget effect is, I would like to have that.

Mr. CLEVELAND. The rest of the emoluments are already built into the present situation where you have a Foreign Service Reserve officer who is serving with the personal rank of ambassador.

Mr. FASCELL. Mr. Secretary, if you would furnish that for Mr. Fulton and the committee, show us what the present position now costs, and what it would cost under the legislation.

Mr. FULTON. And the allowances, salary.

Mr. FASCELL. That is everything, allowance and salary.

(The information requested above will be found on p. 28.)

Mr. FASCELL. Mr. Gross had an additional question or two.

Mr. GROSS. Mr. Cleveland, I know the British, French, and Russians are not as enamored of the United Nations as we are, but tell me how do they move their people around, or do they? Mr. Fulton has asked you for the number of ambassadors in other principal countries. Do they move their people around now?

Mr. CLEVELAND. Yes. You mean from country to country?

Mr. GROSS. Within the United Nations, what you want to do here.

Mr. FULTON. Are the other nations doing what you want to do, is what he is——

Mr. CLEVELAND. By and large, they have the same kind of setup we have. They have an integrated mission with specialists who sit on particular bodies. But they seem to appear in pretty much any body they want to appear in. I haven't examined the Russian legislation on this subject. We could do so if that would be helpful, to see what the arrangements are. They seem to have considerable flexibility in their economic man appearing at a political body when the political man in question is out of town or back in Moscow.

Mr. GROSS. There is nothing to prevent us from doing the same thing, is there?

Mr. CLEVELAND. We can do it on those organs that are not charter organs. We have taken it to be impossible in the case of bodies that are organs of the charter—that is to say, the Security Council.

Mr. GROSS. They don't take it to be impossible?

Mr. CLEVELAND. They have their own legislative structure.

Mr. GROSS. What qualifies Mrs. Tree to sit on the Security Council, to be our representative on the Security Council?

Mr. CLEVELAND. She doesn't.

Mr. GROSS. You are trying to put her in a position to serve on the Security Council. What are her qualifications for this job?

Mr. CLEVELAND. We are legislating here presumably for the long term and not with respect to particular individuals now there. Her qualifications run to the economic and social and to trusteeship matters.

Actually, in practice, she would be more likely to be assigned to the Economic and Social Council if the man regularly assigned to that body were not present. If, as is increasingly happening, you have issues arising in the Security Council which have arisen first in the Committee of 24—the so-called Colonialism Committee—that is, issues having to do with the Portuguese territories, with South Africa and so on, it might well make sense for the person specifically charged with handling these issues to be available for service on the Security Council on the day they come up there.

Mr. GROSS. How about the tax situation? Would these people that you want to elevate pay taxes, or wouldn't they? Would they get tax rebates? We need taxpayers in this country. I don't want to see any more people given tax rebates and become nontaxpayers.

Mr. CLEVELAND. They pay regular taxes. They live in the United States, and they are Federal employees, and they pay just like the rest of us.

Mr. GROSS. You mean our employees in the United Nations don't get tax rebates?

Mr. CLEVELAND. These are U.S. representatives to the United Nations working for the U.S. Government. When you speak of Americans in the United Nations, that is a different story, but they also don't get tax rebates. They also pay taxes.

Mr. GROSS. You mean to say that all American employees at the United Nations pay taxes and none of them get rebates?

Mr. CLEVELAND. American employees of the United Nations on the New York end make—it is a rather complicated situation.

Mr. GROSS. I am afraid it is.

Mr. CLEVELAND. What happens is that every employee of the United Nations, Argentine, Russian, or whatever, pays an internal tax or U.N. staff assessment. Each employee's salary is docked by an amount which is roughly equivalent to the U.S. Federal tax plus, I believe, the New York State tax. In addition, U.S. citizens must also pay their regular New York State and Federal taxes. Those two amounts are about the same. Since they get them back, everybody in the U.N. winds up paying his own Government, in effect, about the equivalent of our tax bill.

Mr. GROSS. Which one, the State or the Federal?

Mr. CLEVELAND. Both. The equivalent of the two taken together.

Mr. GROSS. How do they wind up doing this?

Mr. CLEVELAND. What happened was that we never ratified the United Nations Convention on Privileges and Immunities. Just about every other country has. The Privileges and Immunities Convention provided that the international civil servants would not have to pay taxes to their own Governments. But we never ratified it. Therefore, this does not apply to our people. In order to avoid a situation where our people were paying taxes to their own Government, and everybody else was getting a tax-free salary so that an American secretary of \$5,000 was paying part of her salary to the Government, but an Argentine was getting the whole \$5,000, the U.N. has adopted an arrangement whereby they assess everybody for about what the American girl would lose on taxes and rebate that amount that they take from the Argentine girl back to the Argentine Government. This is to accommodate us, in effect.

Mr. GROSS. Do these rebates come out of the U.N. fund?

Mr. CLEVELAND. There is no rebate to the individual. They take from the individual and give it back to the Government of which that individual is a citizen.

Mr. GROSS. Out of U.N. funds?

Mr. CLEVELAND. Out of the girl's salary, which in turn originally came out of the U.N. budget.

Mr. GROSS. As you said, it is a complicated story. I am not going to pursue it. There is not time if we are going to have an executive session.

I am still far from clear as to how this thing works. My information is that some of this tax business is paid out of U.N. funds which, of course, means that we are, percentagewise, the heavy payers of this tax business.

Mr. FASCELL. Mr. Secretary, under the present law in section 2(d) it says the advice and consent of the Senate shall be required for the appointment by the President of the representative of the United States in any Commission that may be formed by the United Nations with respect to atomic energy. That is the present law. Has any such Commission been formed?

Mr. CLEVELAND. No. This was the assumption at the time.

Mr. FASCELL. That is all I need to know. The law provides you can appoint somebody to that Commission, but no commission has been formed.

Mr. CLEVELAND. No.

Mr. FASCELL. "Or in any other commission of the United Nations to which the United States is entitled to appoint a representative." That is the present law. Has any other commission been formed?

Mr. CLEVELAND. A lot of bodies have been formed.

Mr. FASCELL. I am going to get to that later.

Mr. CLEVELAND. Most of them are not called commissions.

Mr. FASCELL. I just want to get this nailed down. Under the present law we can appoint a representative, with the advice and consent of the Senate, to any commission which may be formed with respect to atomic energy or in any other commission. Your testimony is that no commission has been appointed with respect to atomic energy. I am trying to find out whether or not any other commission has been formed because under existing law you could appoint a representative to any other commission.

Mr. CLEVELAND. Quite a number of other bodies have been formed, most of them not called commissions, and to those bodies the people already in New York are usually designated to serve. For example, the disarmament commission, which is a suborgan of the General Assembly consisting of 114 members, and really a committee of the whole, has been meeting with Governor Stevenson as the chief representative. His appointment is, of course, subject to Senate confirmation.

Mr. FASCELL. In the language, in the proposal before us, in section (b), which covers this subject now rather than section (d), it says the President by and with the advice and consent of the Senate, shall appoint additional persons, and so forth. Then it goes on and says, "In such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament.)"

The way I read that language, this is a severe limitation on the language that is included in the present law, because the proposed law says that you can appoint to an organ, commission, or other body, which is an expansion of the present law in the sense that you now designate more than commissions, you designate an organ and other body, whatever these are, but you limit them to nuclear energy or disarmament. You expand the inclusion by specifically naming disarmament but you specifically limit it by excluding "or in any other commission."

Mr. CLEVELAND. The "or in any other commission" feature of the previous language is now in effect included in subparagraph (a), of the new language, in which it says that the top ambassador may serve ex officio as representative, and in subparagraph (b) where it says that at the direction of the top representative the others may represent the United States in any organ, commission, or other body of the United Nations.

Mr. FASCELL. Starting on line 18 of the bill, page 2:

They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations.

Mr. CLEVELAND. Yes.

Mr. FASCELL. Then the inclusive language is really meaningless except to keep some people happy.

Mr. CLEVELAND. That is right, simply to mention the main charter organs—

Mr. FASCELL. Originally mentioned, so that they are included specifically. I didn't mean they were meaningless, I just meant—

Mr. CLEVELAND. In the case of nuclear energy or disarmament, where there was a special point made of this in the original act, we thought that we had better keep in the picture what was obviously the congressional intent at the time. That is, if some kind of atomic energy commission of the Baruch type, or disarmament organization of the type contemplated in our disarmament proposals were ever to be formed, that would be regarded as a major task to be covered by a Presidential appointment confirmed by the Senate.

Mr. FASCELL. So we have changed the word "atomic" in the old law to the word "nuclear" in the new law. Also we have enlarged the division of commissions to include "organs and other bodies" so there will be no technical or legal limitation in the event that another body is created which would deal with nuclear energy or disarmament?

Mr. CLEVELAND. Right.

Mr. FULTON. On construction of the words, could I ask a question right there?

Mr. FASCELL. Certainly.

Mr. FULTON. Does the phrase "as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament) modify only the word "bodies," or does it modify "organs" and "commission" before that?

Mr. CLEVELAND. I think it modifies "organs" and "commissions," also.

Mr. FASCELL. That would be my interpretation, too. We have established that no atomic energy or nuclear energy commission has been created. Is there any organ or commission or other body dealing with disarmament in the sense used in this language?

Mr. CLEVELAND. There is a disarmament commission of the General Assembly which is essentially a committee of the whole, but—

Mr. FASCELL. That doesn't require a special appointment under the terms of this legislation?

Mr. CLEVELAND. I think it would not. In any case, our representative to that is our representative to the General Assembly—

Mr. FASCELL. That is what I meant.

Mr. CLEVELAND. Governor Stevenson. So the question hasn't arisen.

Mr. FASCELL. By the inclusion of the aforementioned language in the pending legislation, is another position created by virtue of the fact that you now have a committee of the whole sitting in the General Assembly dealing with disarmament? The answer, obviously, is it is not.

Mr. CLEVELAND. I think the answer is, "It does not."

Mr. FASCELL. So that if a commission or organ or other body were to be created by the United Nations dealing with nuclear or disarmament control and limitation of armament, it would require an appointment by the President, confirmation by the Senate? That is what I am trying to arrive at.

Mr. CLEVELAND. Yes, sir.

Mr. FASCELL. I had a question on the Geneva position. In making statutory the position of our representative to the United

Nations in the European office, do we by this legislation create any additional positions?

Mr. CLEVELAND. No, sir. This is making statutory a position that already exists in practice on appointment by the President.

Mr. FASCELL. The present officeholder is a career minister with the personal rank of Ambassador?

Mr. CLEVELAND. The present officeholder is Roger Tubby, a FSR class-1 officer—not a member of the Foreign Service, as such—who used to be Assistant Secretary for Public Affairs. He is now in Geneva as an FSR-1, but holding the personal rank of Ambassador.

Mr. GROSS. His salary will go from what to what?

Mr. FASCELL. We said about a \$3,000 increase.

Mr. CLEVELAND. From twenty-four five, to twenty-seven, a little over twenty-seven.

Mr. FASCELL. You were going to supply us with the details on that. Your estimate now is from \$24,500 to \$27,000 on the increase?

Mr. CLEVELAND. Yes.

Mr. FASCELL. The question I have is whether the present officeholder would be required to be confirmed by the Senate, if the pending legislation becomes law.

Mr. CLEVELAND. Yes.

Mr. FASCELL. His name would have to be resubmitted, and—

Mr. CLEVELAND. Yes.

Mr. GROSS. A better house and a better car?

Mr. CLEVELAND. No; same house, same car.

Mr. FASCELL. Maybe he could get ice water and air conditioning.

Mr. FRELINGHUYSEN. Mr. Chairman, I don't want to prolong this discussion, but I think it is interesting, and I am still not quite happy with the situation if we changed the law.

It seems to me, Mr. Cleveland, that under the present law Mr. Plimpton and Mr. Yost have direct responsibilities for sharing in representing the United States in the Security Council at the U.N. Under the proposed plan everyone but the representative himself has broad responsibilities but with no direct necessity to represent this country in the Security Council. This strikes me as a downgrading of two of the five individuals about whom we are talking.

As a matter of practice, the need will be for at least as much participation in the Security Council by those two or perhaps all four of the deputies. However, we do strike from the bill the provision that anyone other than the representative, himself, shall have responsibility for service in the Security Council and may serve ex officio in any organ, commission, or other body of the U.N. That language is stricken with respect to the No. 2 and No. 3 men. In effect, you make them all of equal status. Or you may, I suppose, designate under this authority that they shall have certain direct responsibilities, and that others may not. I don't know. You seem to say that they are going to be given a broad charter of responsibility but with no direct responsibility for the Security Council, as such.

That disturbs me because it seems to me the way that the system was set up was a reasonably specialized one. They shall have—No. 2 and No. 3—shall have responsibilities to help the Ambassador, the chief representative; then the other two have specialized functions, Economic and Social Council, and the Trusteeship Council.

Since the five ambassadors whom we presently have are not subject to reappointment, and are not subject to reconfirmation by the Senate, it worries me that we will end up by having a specialist who may be well qualified for the job that he or she was chosen for available for service at some level for which he or she is not particularly qualified. I personally can imagine no more attractive representative than Mrs. Tree in the Security Council, but it might be that she was chosen for a specialized reason to preside over a function which is of somewhat less consequence than other areas in the United Nations, and, as you say, of diminishing importance. She might not have been chosen if it had been known at the time that she might be expected to represent this country on the Security Council.

I have concern on two points. One is that we are downgrading two out of the four subordinates, and secondly, that we are upgrading specialized subordinates who might not be particularly well qualified for the jobs that they would be expected to assume.

Mr. CLEVELAND. I think that the change in the existing situation is not as dramatic as all that. I would have no difficulty with the proposition that Mrs. Tree could represent the United States in the Security Council. In practice, the prearrangements would tend to persist—that is to say, that Ambassador Williams would continue to work primarily on economic and social problems and Marietta Tree would continue to work primarily in the area of colonialism. It would free the deputy representative on the Security Council to be available to sit in any body of the U.N. in the way the other deputy has the statutory right to do. I think that also in practice we will set up these four jobs at different levels—that is to say, they will not all be ambassadorships of the same class. The proposed legislation would enable the chief delegate to handle his mission as an integrated mission, and to assign people to functions, from month to month, in the manner indicated by the rapidly moving business of the U.N.

Mr. FRELINGHUYSEN. Your point is that Mr. Yost under the present statutory authority is too limited in the specific area of his responsibility, and that you would like to use him as you use Mr. Plimpton?

Mr. CLEVELAND. Yes.

Mr. FRELINGHUYSEN. I certainly would have no fault to find in upgrading that position. Yet, I do worry about what seems to be the downgrading with respect to these individuals, because you don't assign them anything specifically for the Security Council at all. You say that any of them shall be appointed at the direction of the representative of the United States in any organ, including the Security Council. This sounds so casual, as if this might be or might not be one of their responsibilities. As a practical matter, you say because the individuals have individual interests and qualities they will probably be continued with about the same responsibilities as they have now. But we are certainly getting away from the specialized approach which the present law sought to establish.

I am not sure the substitute will be an improvement.

Mr. CLEVELAND. There are quite a lot more specialities than were provided for in the original act. The original act presumed there

would only be three organs of the U.N. other than the General Assembly. Now, there are all sorts of bodies and commissions and boards which have to be covered somehow by U.S. representatives.

Mr. FRELINGHUYSEN. This is an argument for increasing the number of top people. You say you are not planning this. Certainly the new language would allow any increase you want, and would make mandatory a requirement which the chairman has just pointed out is now discretionary. It would make mandatory the establishment of a suitable rank, presumably ambassador, for a group concerned with nuclear energy or disarmament. I don't know why that should be mandatory. It seems to me we ought to say "may appoint additional persons to represent the United States in such commissions as may be created with respect to activities such as nuclear energy and disarmament." I don't know why there is this "or."

Mr. CLEVELAND. It was in the original act. We had no special intention to wipe out that requirement.

Mr. FRELINGHUYSEN. It isn't a requirement in the original act. It says if he does establish such a commission he must be subject to confirmation.

Now, you make it mandatory, and you broaden it not only to say a commission, but you say if a body of the United Nations is established in relation to these fields, it is mandatory to appoint somebody for this job.

Mr. CLEVELAND. It is not mandatory to such a job.

Mr. FRELINGHUYSEN. Under this language it seems mandatory.

Mr. CLEVELAND. It would still leave it dependent upon the kind of organization it was—that is, whether you assign to it somebody who is already holding a Senate confirmation appointment, or whether you add a sixth position.

Mr. FRELINGHUYSEN. You are surely implying that you are going to add additional individuals for those fields. Nor could you assign someone under the new section (d) who does not need confirmation to serve those fields. This seems it is unwise. And you ought to have it discretionary, as the law now stands, not mandatory. Nor do I know why the language was changed from "commission" to any "organ, commission, or other body." If any of these groups are established you must put someone in charge who has been confirmed by the Senate.

Mr. CLEVELAND. The purpose of this language was simply to carry into an appropriate place in the new structure the same idea that is contained in the phrase "the advice and consent of the Senate shall be required and appointment by the President in any commission that may be formed with respect to any nuclear"—

Mr. FRELINGHUYSEN. The present language says he may, if he feels like it, appoint such a representative, and if he does it must be subject to confirmation. The new language says he must. Instead of just having reference to a commission that may be formed, it says "any organ, commission, or other body which," would seem to be far broader, as the chairman has pointed out. I would think it might be unwise to move in either of those directions, if we are trying to limit

the number of top people. I would think you might want to have the flexibility either to appoint an individual who is subject to confirmation, or do it under section (d) if it is not of significant consequence. If you should set something up as unimportant as the trusteeship council you might well want to have that individual appointed without confirmation by the Senate. This would seem to require——

Mr. CLEVELAND. Or use one of the existing ones.

Mr. FRELINGHUYSEN. The only way you could get around that would be to add to the responsibilities of an existing official.

Mr. CLEVELAND. I think the assumption of the authors of this language was that if you really had some kind of disarmament setup in the U.N., an operating organization with inspection functions, and sort of thing, that organization would be so important a development that you would probably want a special American to deal with that function in New York or Geneva, or wherever the seat of it was. Hence, the "shall."

Mr. FRELINGHUYSEN. This makes him appoint someone. The present language says if you appoint anyone to have him subject to confirmation, which seems preferable.

Mr. FULTON. When the four deputies are made equal, under the present situation, they become equally indefinite as to assignments. You have now said there will be various levels of ambassadors appointed to fill these slots. Would you please put in the record, with the chairman's permission, what are these proposals in this direction?

Mr. FASCELL. I didn't understand they have a definite proposal, but I think he suggested——

Mr. FULTON. What kind of ambassadors would you use? You don't have to fill the slots——

Mr. CLEVELAND. At the present we would keep the setup that we now have, with the additional flexibility.

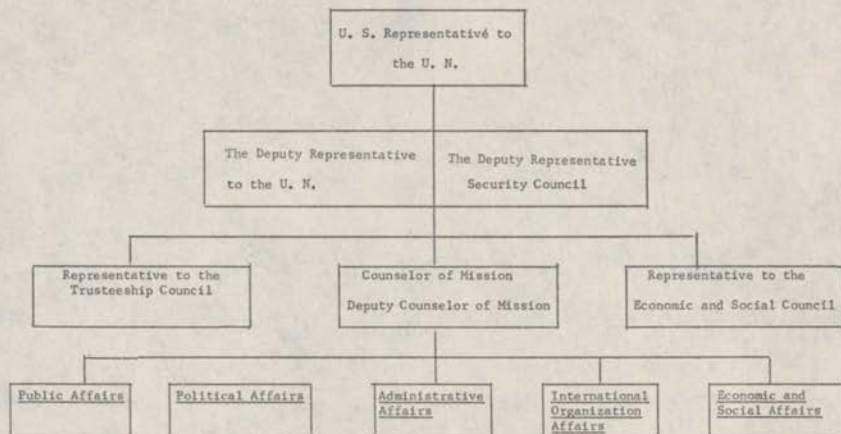
Mr. FULTON. What did you mean by your phrase "different levels of ambassadors," then?

Mr. CLEVELAND. The intention isn't to have four people who would have equal rank and status in the mission under the head of the mission. Presumably you will still have someone who is the overall deputy, who is left in charge when Ambassador Stevenson is absent——

Mr. FULTON. If you would put that proposal in the record, without names, I would like to have it.

Mr. FASCELL. Show us how you would rank the four deputies so we might get an idea of how this might work.

(The following chart was subsequently submitted for inclusion at this point:)

UNITED STATES MISSION
TO THE UNITED NATIONSORGANIZATION CHART

The chart illustrates the internal structure of the U.S. mission to the United Nations.

Under the changes proposed in the law, the two Deputy Representatives as well as the Representative to the Economic and Social Council and the Representative to the Trusteeship Council could be assigned by the principal U.S. Representative to the United Nations to serve interchangeably on three of the principal organs of the United Nations: the Security Council, the Economic and Social Council, and the Trusteeship Council.

Mr. CLEVELAND. The intention is that some will be more equal than others.

Mr. FASCELL. Gentlemen, I want to thank you. We cannot possibly conclude today. I think we will have to adjourn for now. There will be a quorum call shortly, and we will reconvene at 10 o'clock in the morning.

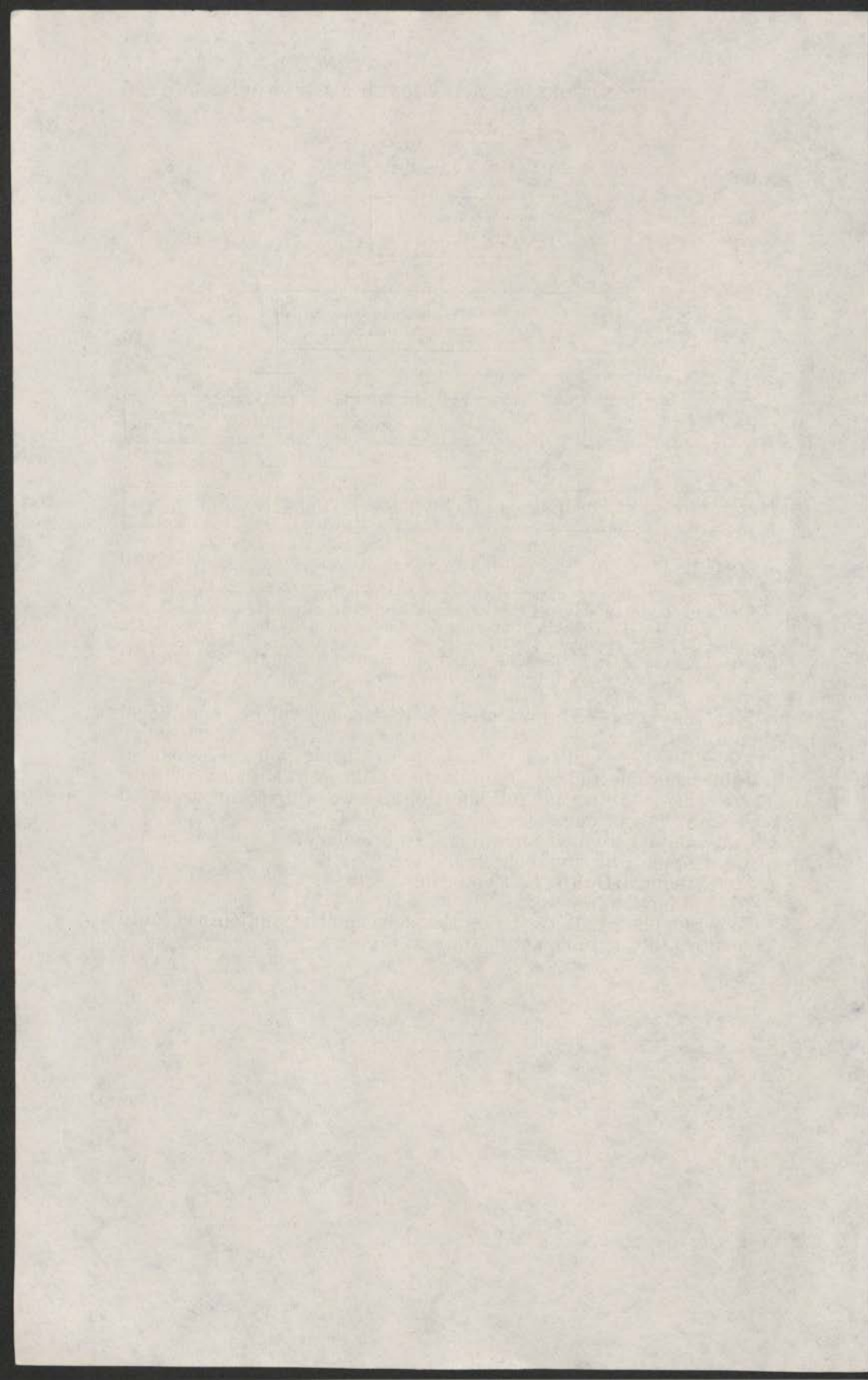
Can you be here in the morning, Mr. Secretary?

Mr. CLEVELAND. I will check and see.

Mr. FASCELL. Do the best you can.

We will have to proceed.

(Whereupon, at 12:03 p.m., the subcommittee adjourned until Thursday, July 1, 1965, at 10 a.m.)



TO AMEND THE UNITED NATIONS PARTICIPATION
ACT, AS AMENDED (63 STAT. 734-736)

THURSDAY, JULY 1, 1965

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS,
Washington, D.C.

The Subcommittee on International Organizations reconvened in room 2200, Rayburn Building, at 10:40 a.m., Thursday, July 1, 1965, Hon. Dante B. Fascell (chairman of the subcommittee) presiding.

Mr. FASCELL. The subcommittee will come to order.

We will open the record for further testimony in connection with the bill S. 1903. We have as witnesses today the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs; accompanied by Mr. Paul Toussaint, Acting Executive Director of the Bureau of International Organization Affairs; Mr. Mr. Francis Cunningham, Director, Office of International Conferences of that Bureau; also Mr. J. Edward Lysterly, Deputy Legal Adviser for Administration, Department of State.

As I recall it, we still had some questions that we wanted to get on the record.

May I inquire, since we had requested some information yesterday, has it been possible to prepare some of that information, or all of it?

Mr. TOUSSAINT. Yes.

Mr. FASCELL. Without objection, we will include in the record this list.

It is the partial list that Congressman Fulton requested, as I recall it, of the member states of the United Nations maintaining a permanent mission in New York City, and their ambassadors.

(The information above referred to is as follows:)

The following is a partial list of member states of the United Nations maintaining a permanent mission in New York City and the number of ambassadors extraordinary and plenipotentiary, envoys extraordinary and ministers pleni-

potentiary each has stationed in New York City and accredited to the United Nations.

| | Ambassadors extraordinary and plen- ipotentiary | Envoys extraor- dinary and ministers plen- ipotentiary |
|--|--|---|
| Argentina..... | 2 | 1 |
| Belgium..... | 1 | 1 |
| China, Republic of..... | 2 | 2 |
| Czechoslovakia..... | 1 | 1 |
| France..... | 1 | 2 |
| Haiti..... | 2 | |
| Israel..... | 1 | 2 |
| Italy..... | 1 | 1 |
| Japan..... | 2 | |
| Mexico..... | 1 | 1 |
| Morocco..... | 2 | |
| Netherlands..... | 1 | 1 |
| Nicaragua..... | 4 | |
| Pakistan..... | 1 | 1 |
| Panama..... | 4 | |
| Philippines..... | 2 | |
| Poland..... | 1 | |
| Saudi Arabia..... | 3 | |
| Spain..... | 1 | 1 |
| Thailand..... | 2 | |
| Turkey..... | 1 | 1 |
| Union of Soviet Socialist Republics..... | 2 | 2 |
| United Arab Republic..... | 2 | |
| United Kingdom..... | (1) | 5 |
| Venezuela..... | 3 | |
| Yugoslavia..... | 1 | 1 |

¹ Minister of State for Foreign Affairs.

Mr. FASCELL. I also have before me a comparison on a yearly basis of the salary and allowances made to Roger W. Tubby in his present rank, and those proposed for the new position; I believe this is the information that Congressman Fulton asked for.

We will include that in the record.

Comparison, on yearly basis, of salary and allowances paid Ambassador Roger W. Tubby at his present rank, Foreign Service Reserve officer, class 1 and as Ambassador, class 3

| | FSR-1 | Ambassador, class 3 | Increase |
|---------------------------------------|----------|------------------------|----------|
| Salary..... | \$24,500 | \$27,000 | \$2,500 |
| Quarters allowance ¹ | | | |
| Post allowance..... | 740 | 740 | |
| Representation..... | 6,000 | 6,000 | |
| Official residence expenses..... | 6,200 | 6,200 | |
| Education..... | 1,300 | 1,300 | |

¹ Ambassador Tubby does not receive a quarters allowance. He occupies Government-leased quarters at an annual rental of approximately \$11,000.

² Plus \$65 for each child (2 children).

Mr. FASCELL. I want to thank you, Mr. Secretary, and your staff, in being so prompt for furnishing this information for our benefit.

Mr. CLEVELAND. Thank you, Mr. Chairman.

Mr. FASCELL. I requested, and we have before us a comparison of the proposed legislation and the existing legislation, showing the changes proposed in new sections. I thought it might help us in consideration of the legislation.

(The comparison is shown below:)

UNITED NATIONS PARTICIPATION ACT, AS AMENDED

PROPOSED LEGISLATION

To amend the "United Nations Participation Act", as Amended 63. Stat. 734-736.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That subsections (a), (b) and (d) of the United Nations Participation Act of 1945, as amended by Public Law 341, 81st Congress, October 10, 1949, are hereby further amended to read as follows:

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a Representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such Representative shall represent the United States in the Security Council of the United Nations and may serve *ex officio* as representative of the United States in any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

EXISTING LEGISLATION

Public Law 264—79th Congress, December 20, 1945, as amended by Public Law 341—81st Congress, October 10, 1949.

To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations and to make other provisions with respect to the participation of the United States in such organization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Participation Act of 1945".

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the United Nations, both of whom shall have the rank and status of envoy extraordinary and ambassador plenipotentiary and shall hold office at the pleasure of the President. Such representative and deputy representative shall represent the United States in the Security Council of the United Nations and may serve *ex officio* as United States representative on any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

PROPOSED LEGISLATION

(b) The President, by and with the advice and consent of the Senate, shall appoint such additional persons with appropriate titles, rank and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction of the Representative of the United States to the United Nations. They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the Representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any Deputy Representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended.

(c) No change.

EXISTING LEGISLATION

(b) The President, by and with the advice and consent of the Senate, shall appoint an additional deputy representative of the United States to the Security Council who shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of both the representative and the deputy representative of the United States to the United Nations.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative.

PROPOSED LEGISLATION

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representatives provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter.

Section 2 of such Act is hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

"(e) The President, by and with the advice and consent of the Senate, shall appoint a Representative of the United States to the European Office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European Office of the United Nations, and perform such other functions there in connection with the participation of the United States in International Organizations as the Secretary of State may, from time to time, direct."

EXISTING LEGISLATION

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either such Council (A) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative, or (B) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representative and deputy representatives appointed under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter. The advice and consent of the Senate shall be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative.

Mr. FASCELL. Mr. Gross, do you have any additional questions you wanted to propound?

Mr. GROSS. I note here, and it is interesting, that apparently we are trying to keep up, in the matter of ambassadors to the United Nations, with Nicaragua and Panama. They each have four. What is the total number that you will be asking for?

STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. We now have up there five.

Mr. GROSS. We have five.

Mr. CLEVELAND. Five with the rank of ambassador.

Mr. GROSS. This would create how many more?

Mr. CLEVELAND. This would leave things the way they are, but would change the statutory arrangements.

Mr. GROSS. Then we are not catching up with them but they are catching up with us.

Mr. CLEVELAND. They are catching up with us.

Mr. GROSS. These powerful nations of Nicaragua and Panama. The rest have one and two, I see.

Mr. Cleveland, I was born on a farm, raised on a farm, and we never bought a new set of harness to put on a dead horse. It seems to me the United Nations comes pretty close to being a dead horse these days. I am not in favor of beefing it up in any way, shape, form, or manner as you might suspect. Do you have any ideas, since it is related, have you any ideas as to how we are going to get the delinquent nations to pay their obligations, their financial obligations?

Mr. CLEVELAND. The United Nations—

Mr. GROSS. Let's explore that for 2 or 3 minutes.

Mr. CLEVELAND. The United Nations is far from a dead horse.

Mr. GROSS. Financially it is not in good shape, unless you in the State Department have decided that we are going to welch, tuck our collective tails between our collective legs, and run on the issue of making the delinquents pay the millions they owe.

But go ahead and tell us about it.

Mr. CLEVELAND. First of all, on the dead-horse question. As you know, the General Assembly was paralyzed on the so-called no-vote procedure this past year. Everything else the U.N. is doing, for example, economic and social work, is very much alive. The Security Council has had more meetings this year than in any year except in the middle of the Palestine issue in 1947. In fact, the Security Council has had an average of one meeting every 3 days all through the year.

All the other committees and organizations and operating programs have been proceeding actually at a higher level, more so than in any previous year of the U.N.'s 20 years of life. The paralysis of the General Assembly, which has gotten an enormous amount of publicity, has given people an impression that is largely false. The impression that the organization has slowed down to a halt is not the case. Even the General Assembly took 18 actions on a no-vote basis, including all the authorizations of specific operations that were required for the year.

The General Assembly is going to come back into business with the 19th session on the 1st of September. I am not in a position to predict what will happen at that moment, or what the President will decide our political strategy should be. This decision is currently under consideration.

Mr. GROSS. You cannot give us any help at this time at all as to what is going to happen?

Mr. CLEVELAND. There has been a good deal of discussion about it, but since the President hasn't decided what we will do, and it is his decision to make, I think I really have to defer that discussion until he makes the decision.

Mr. GROSS. Mr. Cleveland, I don't want to engage in a discussion of semantics, but I would like to amend your statement. You say the President is going to decide. Maybe that is true because of his ability to twist arms, and so on, and so forth, but Congress ought to have something to say about this don't you think?

Mr. CLEVELAND. What I meant was he is going to decide on what proposition we will consult with you.

Mr. GROSS. That means money, doesn't it, and Congress should be controlling the purse strings, but I guess it doesn't. I don't know.

Mr. CLEVELAND. Sooner or later it means money. And always—

Mr. GROSS. I don't want you to bypass Congress. I understand the practical end of this thing. I get my eyes opened a little more every day.

Mr. CLEVELAND. I wouldn't dream of bypassing Congress.

Mr. GROSS. I was in hopes that you might be able to give us some indication of what is likely to happen with respect to this huge arrearage in contributions and assessments.

Mr. CLEVELAND. I think it is just not possible to predict. In the first place, it is not possible to predict what our strategy will be until the President decides it. It is also not possible to predict what some of the other factors in the equation will be. What the Russians will do. What the French will do. And what the small-country majority of the General Assembly will be willing to do.

Mr. GROSS. Our position as of now is pretty clear, isn't it? Didn't we say you either pay up or else? Wasn't that about what we said?

Mr. CLEVELAND. Yes.

Mr. GROSS. Are we now going to retreat from that position or what are we going to do? You have no idea?

Mr. CLEVELAND. I won't go so far as to say that, but I have no policy that I am in a position to discuss as of today.

Mr. GROSS. Thank you, Mr. Chairman.

Mr. FASCELL. Mr. Secretary, it still boils down to, does it not, on the question of the enforcement of article 19; can you get the votes to enforce it?

Mr. CLEVELAND. Yes.

Mr. FASCELL. We can do a lot of talking about what we would like to do, and what we are going to do, but enforcement depends on whether the member nations will vote for the enforcement of the vote exclusion.

Mr. CLEVELAND. Yes. And the lesson of the General Assembly meeting earlier this year, and just before Christmas, was that the great majority of the General Assembly had a very ambivalent feeling.

On the one hand, they didn't want to lower the boom on the delinquent nations, especially the great powers that were delinquent. On the other hand, they didn't want to abandon the principle of their assessment power in article 17 of the Charter. They didn't want to abandon the assessment power, but they didn't want to use, at that time, the sanction that the Charter provides to protect the assessment power. Obviously that rather contradictory position cannot hold forever. They have to come down off that fence one way or the other.

Mr. FASCELL. I don't know if I agree with that. I have seen contradictory positions in legislative bodies last for a long time. I have been serving in one that has had contradictory positions for a long time. Some are resolved and some are not. I agree with you on that. I think it is clear from the action of the Assembly that they are not in any big hurry to enforce the vote exclusion, for that they are not in any big hurry to enforce the vote exclusion, for whatever reasons, whatever they may be, and it still boils down to whether or not you are ever going to corral the votes to do it. This may be one of the problems involved in Charter change, it would seem to me. If the article is there, and if you cannot in a practical sense get the members to apply their own article, then perhaps the time has come to consider some other method, some other avenue, some other approach, otherwise you would have an impossible stalemate, if this is going to be the attitude of the members. It is like anything else, I suppose. It will only run as long as the people want it to run.

Mrs. Kelly had some questions, Mr. Secretary.

Mrs. KELLY. Thank you, Mr. Chairman.

This next session would be the 20th, and not the 19th.

Mr. CLEVELAND. There will be a resumed session, a resumed 19th session, on the 1st of September.

Mrs. KELLY. The Senate will still be represented and not the House?

Mr. CLEVELAND. Senator Long and Senator Carlson will still be the representatives for that bobtail session which will start either on the 1st of September, or maybe just a few days before that.

Mrs. KELLY. Under those conditions, since it will be a continuation of the last General Assembly, the question of payment is still very open, is that right, the payment of arrears?

Mr. CLEVELAND. The question of payment is open.

Mrs. KELLY. With that in mind, you have just made a statement that many meetings were held during the session, and many agreements made, but were they not made with a prior agreement that no votes would be taken?

Mr. CLEVELAND. Yes. All the actions—

Mrs. KELLY. This was taken up and Russia was included in the meeting at which the agreement was reached that there would be no vote challenge, is that right?

Mr. CLEVELAND. The agreement, Mrs. Kelly, was that nothing would be done in the General Assembly that couldn't be done on a no objection procedure.

Mrs. KELLY. That is why there has to be a continuation of the 19th General Assembly, to fulfill the tasks that confronted the 19th session, is that correct?

Mr. CLEVELAND. Yes; and to receive the report of the—

Mrs. KELLY. Of the previous—

Mr. CLEVELAND. Of the Committee of 33 which was set up as the interim negotiating committee to discuss this very question, and which has been meeting inconclusively ever since.

Mrs. KELLY. Is that report public at this time?

Mr. CLEVELAND. They made an interim report a month or so ago. It said nothing.

Mrs. KELLY. You couldn't read between the lines?

Mr. CLEVELAND. No; because it said "on the one hand," and "on the other hand"; it said "some countries think this and some countries think that."

Mrs. KELLY. As the author of the resolution expressing the sense of the Congress that we should confront Russia on this issue, I am very strong on that, and I want to emphasize it at this time, because I would rather see my country go down in defeat and be outvoted on this issue by those small countries that don't have the population which I have in my own district in the city I represent. I am still of the opinion that what Lord Home said in that famous speech of his, if I remember it correctly, that there should be no representation without taxation in the U.N.

There isn't any consideration being given by Russia at this moment to the bringing in of Red China, is there? Has that been dropped?

Mr. CLEVELAND. It hasn't been dropped. I must say the Soviets exhibit no enthusiasm whatever for the project, and haven't for a couple of years now.

Mrs. KELLY. Has anyone else?

Mr. CLEVELAND. No. Albania is the only enthusiast in the General Assembly on that proposition.

Mr. FASCELL. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

I would like to revert back very briefly to a comment Mr. Cleveland made with respect to Mr. Gross. It reminded me of that popular song, "I can dream, can't I?" I would suspect, Mr. Cleveland, even though you may not indulge in this, that the members of the executive branch must dream often of bypassing Congress, even though they feel they don't dare. There must be occasions when you like to bypass it.

Mr. CLEVELAND. Over the years since I have been on this job, I have appeared as the principal witness in 18 hearings a year, and as a supporting witness in a number of others. I think it will take a big stretch of a dream from me to bypass Congress.

Mr. FRELINGHUYSEN. I would think that might encourage you to dream.

I have two questions. I am concerned about the possible demotion of at least one of our team at the U.N. if we should accept the changes already approved by the Senate. As I understand it, the present language gives statutory authorization to two ambassadors to the U.N., whereas the changes would give statutory authority only to one, the top man, and then the others are just designated with such appropriate titles, rank, and status as he may designate.

Mr. CLEVELAND. They would all be statutory Senate confirmation jobs; those other four.

Mr. FRELINGHUYSEN. There is no spelling out that one of them is to be ambassador extraordinary and plenipotentiary. Is that the expression that all of them would get as deputies?

Mr. CLEVELAND. None of them would have that particular, rather old-fashioned tag.

Mr. FRELINGHUYSEN. It is a demotion for the No. 2 man?

Mr. CLEVELAND. The No. 2 man would remain the No. 2 man.

Mr. FRELINGHUYSEN. He would no longer be ambassador extraordinary and plenipotentiary as provided under the present law? This is what worries me.

Mr. CLEVELAND. I am not sure what that means.

Mr. FRELINGHUYSEN. I am not sure what it means, either. I would assume that anyone from the State Department would have knowledge of what it means. Isn't it at least a status symbol to be designated formally as ambassador extraordinary and plenipotentiary?

Mr. CLEVELAND. No effect is intended here on the function that the No. 2 ambassador—

Mr. FRELINGHUYSEN. It wouldn't affect his function at all. I think it would represent in the diplomatic field a demotion, if he cannot attach that to his card or on his letterhead, that he no longer would have that title, he could not have that title.

Mr. CLEVELAND. The incumbent, of course, would continue to have it. His successor would not. I don't think that is on Mr. Plimpton's card, anyway.

Mr. FRELINGHUYSEN. He doesn't like it—

Mr. CLEVELAND. I don't think anyone puts on "ambassador extraordinary and plenipotentiary" any more, do they?

Mr. FRELINGHUYSEN. I thought part of the reason for this resolution was to give increased status to some of the team, and not a division of responsibility, equitable—

Mr. CLEVELAND. To increase the flexibility of the assignments among them and to give them all similar titles. One would still be the overall deputy. Another would still be primarily concerned with Security Council affairs. A third would still be concerned with economic and social affairs. And a fourth would still be concerned primarily with these dependent areas problems.

Mr. FRELINGHUYSEN. As long as no one is worrying about the possible effect of the loss of that title for the No. 2 man, I don't suppose I should worry.

The other question is this mandatory provision with respect to the possible development of an organ, commission, or other body with respect to disarmament. I could understand if there was a formal commission established, something at a high level, that it might be advisable to have a mandatory high-level U.S. representative. However, the addition of the words "organ or other body" would seem to negate the possibility of naming someone to head a group that might not be of sufficient importance to require an individual, who is subject to confirmation by the Senate. I would think it might be easier for such an individual to be appointed to something relatively minor, even though it is in the field of disarmament or nuclear energy, to be appointed under subsection (d) without confirmation by the Senate. I am not sure again whether these are just loose terms, "organ, commission, or body." Also, in subsection (d) it says:

The President may also appoint from time to time such persons as he may deem necessary to represent the United States in organs and agencies of the United Nations.

We seem to have so many terms to describe what I would assume to be certain subdivisions of activities. Is there any significance to these words "organs and agencies and bodies"?

Mr. CLEVELAND. I think the intention was simply to cover all the possibilities.

Mr. FRELINGHUYSEN. You don't cover all possibilities because you don't use the term "agencies" in subsection (b), and you don't use the term "bodies and commissions" in subsection (d). It would seem inadvertent to eliminate some, and to include some in one place and not in others.

If this is tightening up the language, you haven't done a very good job.

**STATEMENT OF J. EDWARD LYERLY, DEPUTY LEGAL ADVISER FOR
ADMINISTRATION, DEPARTMENT OF STATE**

Mr. LYERLY. Let me say this, Mr. Frelinghuysen. I think first off we do have in the present section 2(d) the requirement for the appointment by the President and Senate confirmation of any person who would be designated the U.S. representative to serve on any commission or body involving atomic energy, or on any other commission of the United Nations, to which the United States is entitled to appoint a representative.

Mr. FRELINGHUYSEN. That is an inaccurate statement. I am sure it was inadvertent. The only authority, the only requirement now is if a commission is established. The new language would say there is a requirement if "any organ, commission, or other body" is established. This is much broader, I would assume, than the present language.

Mr. FASCELL. Unless they all mean the same thing.

Mr. FRELINGHUYSEN. If they all mean the same thing, we are moving in the wrong direction by adding verbiage.

Mr. LYERLY. I wanted to point out that starting with 2(d) the present authority, our attempt was to modify or amend it to confine the requirement for Senate confirmation to those matters of representation on atomic energy or disarmament matters. We would be carving out and giving to the President the flexibility to designate representatives of other organs and agencies not dealing with atomic energy or disarmament. Because of the importance attached to atomic matters, or any matter relating to disarmament, we think there should be representation by Presidential appointment by and with the advice and consent of the Senate.

Mr. FRELINGHUYSEN. My question is, Why did you add to the word "commission," "organs and other bodies"? I would think this might be an area, if organs and other bodies are something subordinate, that should be done without confirmation by the Senate. I am not saying necessarily that it should not be mandatory for an individual who is heading up a commission, that the chief U.S. representative on a disarmament commission should not be subject to confirmation. That is probably a good provision in the present law, now in effect, and also in the new law. But you have changed the language so as to include two terms which don't mean anything very

clear to me, except that I would assume these are subordinate kinds of activities.

Mr. CLEVELAND. During the period since the original act was passed the term "commission" has come to have a rather specific meaning in the U.N. context. It doesn't cover the kind of organization which is proposed in the first stage of the U.S. disarmament proposal, which is essentially an operating organization working on inspection problems, and so forth. Nobody knows what it would be called.

Mr. FRELINGHUYSEN. The Department wants any kind of activity sponsored by the United Nations which deals with disarmament headed by a representative who is subject to confirmation?

Mr. CLEVELAND. This is the idea. In practice, in the Disarmament Commission of the U.N., which is a committee of the whole of the Assembly, the President, President Eisenhower then, and now President Johnson, has simply used as the chief representative on that Commission the person who was in New York anyway as the chief delegate to the U.N., Ambassador Lodge before, and Ambassador Stevenson now.

Of course, those individuals have been subject to Senate confirmation. This is designed to take care of the contingency, which doesn't seem a very likely one at the moment, that there would be some form of disarmament agreement that might result in the establishment of a major international organization in the field of disarmament.

The thought is that with this kind of organization we probably should have, and it was the intent of the original legislation to have, a major appointment, that is, a person confirmed by the Senate.

Mr. FRELINGHUYSEN. The other question that I asked yesterday was with respect to the importance of the Trusteeship Council. As I understand it, the revised language would still require, though less pointedly, that the head U.S. representative on the Trusteeship Council must be an individual who is subject to confirmation by the Senate?

Mr. CLEVELAND. Yes.

Mr. FRELINGHUYSEN. Is it not your view that the Trusteeship Council may become of increasingly less importance, and might be headed by someone designated by the President under authority of the new subsection (d); in other words, not subject to confirmation?

Mr. CLEVELAND. As long as it exists probably the last action of the Trusteeship Council will be to hold some functions in relation to our own Trust Territory in the Pacific. I think that even though the total amount of business of the Trusteeship Council has dwindled, and it doesn't have to meet for as long or as often, I think that from the U.S. point of view the function of that Council will always be very important and highly political. I think we would always want to use one of the five ambassadors in New York as the chief representative on that council.

Mr. FRELINGHUYSEN. In your view, in the future, with respect to future appointments to these five positions—they might conceivably be more, but at least five positions—do you anticipate when any individual comes up, male or female, he or she will be subject only to confirmation only if he was considered capable in all areas, including service on the Security Council? Could he be a specialist, as has been the case with the Economic and Social Council, and the Trusteeship

Council up to now? It would seem that you are trying to make it possible for all five of these individuals to serve in any capacity.

Mr. CLEVELAND. No, I don't think there are that many Angels Gabriel. For all of these functions, there are very few people who would be competent to serve in all of the bodies. I think you are still going to have to have people whose primary experience and concern is with the specialized activity. Obviously one consideration in the appointment of such a person is whether he or she has the general good sense and the general political experience to represent the United States in whatever way may be most necessary. As you know, we try to get such people and they are appointed delegates to the General Assembly each year. This is a separate Presidential act and a separate Senate confirmation. When they are delegates to the General Assembly they do have, of course, a functional representation across the board. Often they sit in meetings where subjects other than their own specialty are being debated.

Mr. FRELINGHUYSEN. You say there are very few competent to act in all capacities, yet what you are doing is establishing the four subordinates as generalists instead of specialists. You say you anticipate they will be chosen for their specialty in, say the economic or social sphere, but they will be not confined to that area at all. In effect, I would think you would be making them subject to confirmation on any basis.

Mr. CLEVELAND. It is like any major appointment in the Federal service. You want somebody running a specialized agency of the United States, specialized department or agency, who knows something about the subject that he is going to be administering. However, you also want a good general executive. The sort of generalist overlay that I am describing is like the overlay of executive ability on top of specialized knowledge.

Mr. FRELINGHUYSEN. The present law tries to separate the responsibilities and now we are trying to get away from that separation.

Mr. GROSS. Will the gentleman yield?

Mr. FRELINGHUYSEN. Yes, I am finished.

Mr. GROSS. Mr. Cleveland, help me with the proposed language under subsection (b):

The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions,

and so forth.

Could we by the adoption of this language be giving the President the authority to appoint additional persons without coming to this committee? Of course, they would go to the Senate for confirmation, but we are opening this up so that the President can appoint additional ambassadors only with the advice and consent of the Senate without coming to this committee for authority to do so?

Mr. CLEVELAND. This would be the authority to do so. For example, in the disarmament case we have been using as an example, if a disarmament organization were to be set up, and if a senior U.S. representative were needed, the revised language would constitute authority for the President to appoint someone to the new position.

Mr. GROSS. We could have unlimited ambassadors if the President

deemed it necessary and restricted only by the Senate of the United States in the matter of confirmation?

Mr. CLEVELAND. And by the financial provision for the mission.

Mr. LYERLY. Mr. Gross, might I add that we have this authority now, in section 2(d) of the present law which says, "The President may also appoint from time to time"—this is now in addition to the three that are provided for in the present law.

Mr. GROSS. Do you mean section 2(d)?

Mr. LYERLY. Of the present law.

Mr. CLEVELAND. It is the middle of page 19 of last year's report.

Mr. LYERLY. It provides: "The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the U.N.," and so forth. We have brought that language into this new section 2(b).

Mr. FRELINGHUYSEN. I have the floor, I think.

The old section (d) is not language that talks about "with the advice and consent of the Senate." That is a provision to make such appointments as are appropriate without going to confirmation.

Mr. FASCELL. Except for the last sentence.

Mr. FRELINGHUYSEN. You mean disarmament?

Mr. LYERLY. All persons appointed to commissions to which the United States is entitled to appoint a representative must have Senate confirmation.

Mr. FRELINGHUYSEN. That is right. So your point is that the rephrasing in (b) is a taking out of language in two places of the present (d)?

Mr. LYERLY. Yes, sir.

Mr. GROSS. I must agree with the gentleman from New Jersey in view of this language here. You speak in one place of "principal organs." Over here in the revised language in (d), it is "organs and agencies." I have to agree with him that I do not know why you differentiate in the language in these two paragraphs of the bill, call them what you want.

Mr. CLEVELAND. I think there are two different subjects here. One is the President's authority to appoint additional——

Mr. GROSS. You say he has it in both now?

Mr. CLEVELAND. That is right. The other is the question of which job should require Senate confirmation. The President's authority to appoint additional people is simply carried over into the new bill. Instead of trying to define the organs in the bill, the organs of the U.N. to which appointments confirmed by the Senate will be required, the term "principal organs" is used, because there are more principal organs now, and possibly in the future, than those described in the Charter itself. The original act, you see, simply mentioned the names of the principal organs specified in the Charter. But, the organization changes and develops other organizations to which the President would have to name Senate confirmed appointees if the organizations were to be regarded as principal organs.

Mr. FRELINGHUYSEN. "Principal organs," always reminds me of an anatomy lesson.

Mr. CLEVELAND. I am afraid it is.

Mr. FASCELL. It provides for appointment to both, principal organs and those other organs, commissions, and bodies dealing with either nuclear energy or disarmament?

Mr. CLEVELAND. Yes. This makes clear that the Congress is saying that anything dealing with nuclear energy and disarmament will be regarded as a principal organ of the U.N.

Mr. FASCELL. I wanted to be sure I had read correctly.

Mr. ROSENTHAL, do you have any questions?

Mr. ROSENTHAL. Yes, I have a few.

Mr. Secretary, do you have any objection to going back to a discussion of the article 19 situation?

Mr. CLEVELAND. None at all.

Mr. ROSENTHAL. I just wondered whether you felt it was relevant to the discussion under this section if this Government takes a hard line or a "Gung Ho" attitude and says, "No pay, no vote, and we go down the line that way," do you think that might contribute to the dissolution of the United Nations?

Mr. CLEVELAND. I think that leads us into a line of discussion which really goes to the question of what the U.S. strategy will be on this subject. I am afraid I am not in a position to discuss that until the President has considered the whole problem and has decided what he wants us to do about it.

Certainly we have to be in a position, somehow or other, not to permit the Soviets to decide whether or not the U.N. proceeds with its important work. The problem is how to bring that about.

Mr. ROSENTHAL. Overall it seems to me the point is not to win the debating point but to make sure that the survival of the United Nations is paramount. That is my own personal opinion. I realize you are in a very difficult position.

I have no thoughts of how we can extricate ourselves. I think the overriding concern is the survival of the United Nations because without that I think we have a problem with the survival of mankind. I hope that the State Department, in discussing this and making recommendations to the President, is not principally concerned with the debating point—that we might win or lose in the situation—but are more concerned with the broad allover view of our civilization.

Thank you, Mr. Chairman.

Mr. GROSS. One further question.

Didn't you discuss this matter of enforcement of article 19 before the President went out to San Francisco to speak to the United Nations?

Mr. CLEVELAND. We discussed it frequently, including then.

Mr. GROSS. You must have reached some kind of a position or understanding at that time?

Mr. CLEVELAND. The position or understanding reached at that time was not to mention the subject in San Francisco.

Mr. GROSS. That is pretty well borne out by the press accounts of what happened out there, Mr. Cleveland.

Mr. CLEVELAND. Some of the press accounts, not all of them, could possibly be true since they are quite contradictory.

Mr. GROSS. Was there anything contradictory on the subject of the U.N. deadbeats paying up? I didn't read anything in the newspaper accounts that seemed to be contradictory.

Mr. CLEVELAND. The facts on the delinquents not paying are all too clear.

Mr. FASCELL. Thank you, Mr. Secretary and gentlemen. We appreciate your coming back this morning to complete the hearings on S. 1903. We will stand adjourned.

(Whereupon, at 11:25 a.m., the subcommittee adjourned.)





